IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

WP(C).No. 2537 of 2007(B)

PETITIONER:

M/S.VENUS SALES CORPORATION,
VENUS BUILDING, ATTINGAL,
THROUGH ITS PROPRIETOR SEBI.

BY ADV. SRI.A.KUMAR.

RESPONDENTS:
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1. **THE STATE OF KERALA, REPRESENTED BY THE SECRETARY, MINISTRY OF FINANCE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
2. **THE COMMISSIONER, COMMERCIAL TAXES, THIRUVANANTHAPURAM.**
3. **THE COMMERCIAL TAX OFFICER, VAT CIRCLE, ATTINGAL.**
4. **THE COMMERCIAL TAX INSPECTOR, KARUKUTTY CHECK POST, KARUKUTTY.**
5. **THE COMMERCIAL TAX INSPECTOR, COMMERCIAL TAX CHECK POST, BANGARA, MANJESHWAR.**
6. **THE COMMERCIAL TAX INSPECTOR, COMMERCIAL TAX CHECK POST WALAYAR.**

W.P.(C). NO.2537/2007:

7. THE COMMERCIAL TAX INSPECTOR,
COMMERCIAL TAX CHECK POST, AMARAVILA,
THIRUVANANTHAPURAM.

BY SPL. GOVT. PLEADER (TAXES) SRI. V.V. ASOKAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/02/2007, ALONG WITH W.P.(C). NO. 2844/2007 AND CONNECTED CASES, THE COURT ON 08/03/2007 DELIVERED THE FOLLOWING:

W.P.(C). NO.2537/2007:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE CIRCULAR NO. 50/2006 DTD. 18/12/2006 ISSUED BY THE R.2.

EXT.P.2: COPY OF THE CIRCULAR NO. 53/2006 DTD. 22/12/2006 ISSUED BY THE R.2.

EXT.P.3: COPY OF THE NOTICE DTD. 21/01/2007 ISSUED BY THE R.7.

//TRUE COPY//

prv.

K.S. Radhakrishnan &
T.R. Ramachandran Nair, JJ.

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W.A.NO.2537 of 2007

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Dated this the 13th day of November, 2007

JUDGMENT

Radhakrishnan, J.

We find no error in the judgment of the learned Single Judge warranting interference. An affidavit was filed in Writ Petition No.33341/2006 as I.A. No.3547/2007 which has been extracted by the learned Single Judge in paragraph 6 of the judgment. The stand taken in the said affidavit was accepted by other petitioners also including the appellant herein. In such circumstances, by consent of all parties, the learned Single Judge disposed of the matter. Even otherwise, we are of the view that the appellant has no legal right to insist that examination be conducted in the respective schools.

In the above circumstances, the writ appeal fails and it is accordingly dismissed.

(K.S. Radhakrishnan, Judge.)

(T.R. Ramachandran Nair, Judge.)

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